

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



CYBERCREEK ENTERTAINMENT, LLC,

Plaintiff,

ORDER

v.

1:16-CV-00424 EAW

U.S. UNDERWRITERS INSURANCE
COMPANY,

Defendant.

This matter was removed to this Court from New York State Supreme Court, Erie County, on May 27, 2016. (Dkt. 1). On June 3, 2016, Defendant moved to dismiss the Complaint. (Dkt. 6). On June 6, 2016, the Court entered a scheduling order on the motion to dismiss. (Dkt. 7). A copy of the scheduling order was mailed to Plaintiff's counsel of record, Sean Schoenborn, Esq., at the address on file with the Clerk of the Court – namely, 43 Court Street, Suite 800, Buffalo, NY 14202. The mailed order was returned to the Court as undeliverable on June 16, 2016. (Dkt. 8).

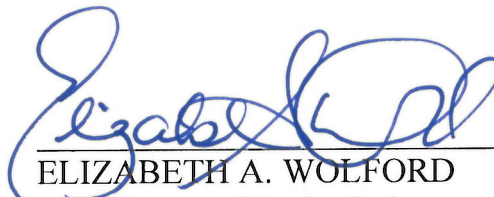
On June 17, 2016, the Court received a faxed letter from Daniel Schoenborn, Esq., in which he claims that “[f]or some reason . . . neither [he] nor Sean Schoenborn was notified” of the scheduling order, and requests an extension of the deadline to file Plaintiff's response. This request is denied.

Daniel Schoenborn has not filed a notice of appearance in this matter and is not an attorney of record. Only attorneys of record may request relief from the Court.

Moreover, and contrary to defense counsel's claims, the Court sent a copy of the scheduling order to the contact information it had on file for Sean Schoenbern, Plaintiff's attorney of record. It is the responsibility of all attorneys admitted to practice in this Court to maintain accurate and updated contact information.

A copy of this Order will be sent via email to the email addresses provided in defense counsel's letter. Defense counsel are directed to update their address with the Clerk of the Court's office. If defense counsel would like to receive electronic copies of future filings, it is their affirmative obligation to contact the Clerk of the Court's office and complete the necessary process.

SO ORDERED.



ELIZABETH A. WOLFORD
United States District Judge

Dated: June 17, 2016
Rochester, New York